

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:03-00193

ANTHONY MICHAEL THORNE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On June 10, 2013, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Anthony Michael Thorne, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Troy A. Lanham. The defendant commenced a fifty-four month term of supervised release in this action on February 6, 2013, as more fully set forth in the Supervised Release Revocation and Judgment order entered by the court on October 1, 2012.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the federal and state offense of providing contraband in the form of one pound of tobacco and rolling papers to an inmate housed at FCI Beckley on May 13, 2013, as evidenced by his admission on the record of the hearing that the government possesses sufficient evidence to prove the offense by a preponderance of the evidence; (2) the defendant used and possessed oxycodone and oxymorphone as evidenced by a positive urine specimen submitted by him on April 11, 2013; and (3) that the defendant failed to spend a period of six months in a community confinement center inasmuch as he entered the program at Dismas Charities on March 4, 2013, and on May 7, 2013, was discharged as a program failure by virtue of having received six disciplinary reports and two warnings; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

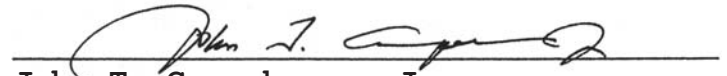
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, to be followed by a term of forty-six (46) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition

that he make himself available for drug abuse counseling and treatment as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 20, 2013

  
John T. Copenhaver, Jr.  
United States District Judge